



CITY COUNCIL

Agenda

AUGUST 23, 2016, 6 p.m.

Council Chamber
1200 Carlsbad Village Drive
Carlsbad, CA 92008

We Welcome Your Participation

Addressing the Council

If you would like to provide comments to the City Council, please:

1. Fill out a "speaker card" located in the foyer.
2. Submit to the City Clerk or City Clerk Services Manager.
3. Speakers will be provided a maximum of three minutes, which may be shortened at the discretion of the Mayor, depending on the number of people wishing to speak.
4. Groups: Group representatives will be permitted **only** for items listed on the agenda. Group speakers will speak first. Groups of six or more speakers may appoint one person to speak on their behalf. All members of the group must be present and fill out a speaker card. The group's representative will be given 10 minutes to speak.

Written Materials

Written agenda related items provided to the city's legislative leaders after distribution of the agenda packet will be available for inspection during normal business hours at the City Clerk's Office, 1200 Carlsbad Village Drive, Carlsbad, CA 92008. All agenda related items will also be available at the meeting. Please see the City Clerk to review.

Decorum

Carlsbad Municipal Code sections 1.20.320 and 1.20.330 require members of the public to observe order and decorum at this meeting and to conduct themselves in a courteous manner. California Penal Code section 403 makes it a misdemeanor for any person to willfully disturb or break up any assembly or meeting with lawful authority. The ordinances were adopted to allow for public input and to facilitate city business without disruption of the meeting. The Mayor, as presiding officer, has the authority to run the meeting. This includes the authority to issue warnings, call for recesses or even clear the Council Chamber in the event of disruptive behavior, such as applause or heckling. Applause is appropriate for items listed under the Presentation portion of the agenda only.

Future Agendas

Members of the public may have an item listed on a future agenda by submitting a letter to the City Manager. Unless the Mayor, with the consent of the Council, otherwise directs, such presentations shall be limited to 10 minutes. No action may be taken on public presentation items.

Visual Materials

Please coordinate with the City Manager's Office regarding submission of visual materials for Council meetings. All visual materials must be submitted to the City Manager's office by noon the Monday prior to the Council meeting. Visual materials will only be permitted for items listed on the agenda, not as part of the Public Comment portion of the agenda. Please label all materials with the related agenda item number and observe stated time limits. Visual materials are considered part of the maximum time limit provided to speakers. All materials exhibited to the Council during the meeting (slides, maps, etc.) are part of the public record. Your materials will be returned upon written request. **Video cannot be accommodated.**

Persons with a disability may request an agenda packet in appropriate alternative formats as required by the Americans with Disabilities Act of 1990. Reasonable accommodations and auxiliary aids will be provided to effectively allow participation in the meeting. Please contact the City Manager's Office at 760-434-2821 (voice), 711 (free relay service for TTY users), 760-720-9461 (fax) or manager@carlsbadca.gov by noon on the Monday preceding the meeting to make arrangements.

CALL TO ORDER: 6:00 p.m.

ROLL CALL: Hall, Wood, Schumacher, Blackburn, Packard.

INVOCATION: None.

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Wood led the pledge of allegiance.

APPROVAL OF MINUTES:

ACTION: Approved Minutes. – 5/0

Minutes of the Regular Meeting held June 21, 2016.

Minutes of the Regular Meeting held June 28, 2016.

Minutes of the Joint Special Meeting held June 28, 2016.

PRESENTATION:

Presentation in recognition of Public Safety Teamwork.

Presentation of proclamation in recognition of the Carlsbad Softball Association.

Presentation in recognition of the Economic Development Programs.

PUBLIC REPORT OF ANY ACTION TAKEN IN CLOSED SESSION:

CONSENT CALENDAR: *The items listed under Consent Calendar are considered routine and will be enacted by one motion as listed. There will be no separate discussion on these items prior to the vote, unless an item is removed.*

WAIVER OF ORDINANCE TEXT READING:

This is a motion to waive the reading of the text of all ordinances and resolutions at this meeting.

1. **SAN DIEGO ASSOCIATION OF GOVERNMENTS MEMORANDUM OF UNDERSTANDING** – Approval of a Resolution approving the execution of the Memorandum of Understanding with the San Diego Association of Governments for a Carlsbad Transportation Demand Management Program.

ACTION: Approved Resolution No. 2016-167. – 5/0

2. **SUSTAINABLE TRANSPORTATION PLANNING GRANT** – Approval of a Resolution authorizing the Director of Public Works to execute a contract with the State of California for a Sustainable Transportation Planning Grant and appropriating the funds in the amount of \$300,000 for the Sustainable Mobility Plan.

ACTION: Approved Resolution No. 2016-171. – 5/0

3. **LEO CARRILLO RANCH HISTORIC PARK (CAPITAL IMPROVEMENT PROJECT NO. 4602)** – Adoption of a Resolution approving the Plans and Specifications for the Leo Carrillo Ranch Stables Restoration and Chicken Coop/New Restroom Project and authorizing the release of Invitations for Bids.

ACTION: Approved Resolution No. 2016-172. – 5/0

4. FOXES LANDING LIFT STATION REPLACEMENT (PROJECT NO. 5526) – Approval of a Resolution accepting bids and awarding a contract to Newest Construction, Inc. in the amount of \$2,870,800 for the Foxes Landing Lift Station Replacement, Project No. 5526.
ACTION: Approved Resolution No. 2016-173. – 5/0
5. RATIFICATION OF THE FIRST EXTENSION TERM OF THE LEASE AGREEMENT WITH TERRACARE ASSOCIATES INC. FOR THE AVIARA PARK MAINTENANCE BUILDING – Approval of a Resolution authorizing the City Manager to Execute the Ratification of the First Extension Term and granting the City Manager the authority to execute future extensions of the Lease Agreement with Terracare Associates, Inc. for a Park Maintenance Building Located within Aviara Park (6440 Ambrosia Lane).
ACTION: Approved Resolution No. 2016-174. – 5/0
6. COMMUNITY ACTIVITY GRANTS FUNDING RECOMMENDATIONS – Adoption of a Resolution approving the funding recommendations of the Community Activity Grant Citizen Review Committee and approving the disbursement of funds to the identified organizations on a reimbursement basis only.
ACTION: Approved Resolution No. 2016-175. – 5/0
7. RACHEL JANNUSCH WORKERS' COMPENSATION CLAIMS SETTLEMENT – Approval of a Resolution authorizing Compromise and Release of Workers' Compensation claims of Rachel Jannusch for \$160,000.
ACTION: Approved Resolution No. 2016-176. – 5/0
8. CITY INVESTMENTS REPORT – Report on City Investments as of July 31, 2016.
ACTION: Accepted report. – 5/0

ORDINANCES FOR ADOPTION:

9. ORDINANCE NO. CS-303 MODIFY SPEED ZONE LIMITS ON CAMINO JUNIPERO – Adoption of Ordinance No. CS-303 amending Title 10, Chapter 10.44, of the Carlsbad Municipal Code by the revision of Section 10.44.770 to modify the limits of the 45 mile per hour speed zone on Camino Junipero.

City Manager's Recommendation: Adopt Ordinance No. CS-303.

ACTION: Adopted Ordinance No. CS-303. – 5/0

10. ORDINANCE NO. CS-304 MODIFY SPEED ZONE LIMITS ON CARLSBAD BOULEVARD – Adoption of Ordinance No. CS-304 amending Title 10, Chapter 10.44, of the Carlsbad Municipal Code by the revision of Section 10.44.030 to modify the limits of the existing 30 mph and 35 mph speed zones on Carlsbad Boulevard between the North City Limit and Walnut Avenue.

City Manager's Recommendation: Adopt Ordinance No. CS-304.

ACTION: Adopted Ordinance No. CS-304. – 5/0

11. ORDINANCE NO. CS-305 ESTABLISH PRIMA FACIE SPEED LIMIT ON LA COSTA AVENUE – Adoption of Ordinance No. CS-305 amending Title 10, Chapter 10.44, Section 10.44.070 of the Carlsbad Municipal Code establishing a prima facie speed limit upon a portion of La Costa Avenue.

City Manager's Recommendation: Adopt Ordinance No. CS-305.

ACTION: Adopted Ordinance No. CS-305. – 5/0

12. ORDINANCE NO. CS-307 AMENDING PURCHASING ORDINANCE – Adoption of Ordinance No. CS-307 amending Carlsbad Municipal Code Title 3, Chapter 3.28 (Purchasing) to: Add Section 3.28.087 (Job Order Contracts); Amend Sections 3.28.050 (Procurement of Goods) and 3.28.060 (Procurement of Professional Services and Services) to clarify the dollar threshold where formal bidding is required; Amend Section 3.28.080 (Construction Projects) to reduce the notice period inviting formal bids to 15 Days; and Amend Section 3.28.090 (Execution of Change Orders and Amendments) to clarify the City Manager may delegate authority to execute change orders.

City Manager's Recommendation: Adopt Ordinance No. CS-307.

ACTION: Adopted Ordinance No. CS-307. – 5/0

13. ORDINANCE NO. CS-306 ALL-WAY STOP CONTROL AT THE INTERSECTION OF BUENA VISTA WAY AND ARLAND ROAD – Adoption of Ordinance No. CS-306 Amending Title 10, Chapter 10.28 of the Carlsbad Municipal Code to Add Section 10.28.995 to Establish All-Way Stop Control at the Intersection of Buena Vista and Arland Road.

City Manager's Recommendation: Adopt Ordinance No. CS-306.

ACTION: Adopted Ordinance No. CS-306. – 4/1 (Packard – No)

PUBLIC COMMENT:

In conformance with the Brown Act, no Council action can occur on items presented during Public Comment.

A total of 15 minutes is provided so members of the public can address the Council on items that are not listed on the Agenda. Speakers are limited to three (3) minutes each. If you desire to speak during Public Comment, fill out a SPEAKER CARD and submit it to the City Clerk. If there are more than five (5) speakers, the remaining speakers will be heard at the end of the agenda just prior to Council Reports.

When you are called to speak, please come forward to the podium and state your name.

PUBLIC HEARINGS:

14. AMENDMENT TO THE 2016-17 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM ACTION PLAN – Approval of a Resolution authorizing an amendment to the 2016-2017 Community Development Block Grant Program Action Plan and submission of the amendment to the U.S. Department of Housing and Urban Development.

City Manager's Recommendation: Take public input, close the public hearing and adopt the resolution.

ACTION: Approved Resolution No. 2016-177. – 5/0

15. LOCAL COASTAL PROGRAM AMENDMENT 14-03 / CASE NAME: WESTIN HOTEL AND TIMESHARE – Approval of a Resolution acknowledging receipt of the California Coastal Commission's Resolution of Certification including a suggested modification for LCPA 14-03, and approving the associated suggested modification to the Local Coastal Program.

City Manager's Recommendation: Take public input, close the public hearing and adopt the resolution.

ACTION: Approved Resolution No. 2016-178. – 5/0

16. VACATION OF PORTION OF MADISON STREET ALLEY (STV 16-01) – Adoption of a Resolution approving the vacation of a portion of Madison Street Alley, from Chestnut Avenue northwest to the northeasterly prolongation of the southeast line of Lot 14 of Map 775, STV 16-01.

City Manager's Recommendation: Take public input, close the public hearing and adopt the resolution.

ACTION: Approved Resolution No. 2016-179. – 5/0

DEPARTMENTAL AND CITY MANAGER REPORT:

17. SET PUBLIC HEARING FOR PROPOSED NEW FEE STRUCTURE FOR FIRE PREVENTION SERVICES
Approval of a Resolution authorizing Council to set a Public Hearing to consider proposed new fee structure for fire prevention services and related fees to simplify existing fees and align fees with the reasonable costs of providing each service.

City Manager's Recommendation: Approve the resolution.

ACTION: Approved Resolution No. 2016-180. – 5/0

PUBLIC COMMENT: Continuation of the Public Comments

This portion of the agenda is set aside for continuation of public comments, if necessary, due to exceeding the total time allotted in the first public comments section.

When you are called to speak, please come forward to the podium and state your name. The remainder of the categories are for reporting purposes. In conformance with the Brown Act, no public testimony and no Council action can occur on these items.

COUNCIL REPORTS AND COMMENTS: (Revised 7/7/16)

PACKARD

North County Transit District Board of Directors
North County Transit District Executive Committee
North County Transit District Joint Committee on Regional Transit (JCRT)
North County Transit District Advisory Member for SANDAG Board
North County Dispatch Joint Powers Authority (alternate)

BLACKBURN

Buena Vista Lagoon JPC
Encina Joint Powers (JAC)
Encina Wastewater Authority Board of Directors
Encina Wastewater Authority Capital Improvement Committee
North County Dispatch Joint Powers Authority
North County Transit District Board of Directors (alternate)
SANDAG Board of Directors (2nd alternate)
SANDAG Public Safety Committee

SCHUMACHER

Buena Vista Lagoon JPC
Chamber of Commerce Liaison
City/School Committee
Encina Joint Powers (JAC)
Encina Wastewater Authority Board of Directors
Encina Wastewater Authority Policy and Finance Committee
SANDAG Shoreline Preservation Working Group

WOOD

City/School Committee
League of California Cities - SD Division
League of California Cities Administrative Services Policy Committee
San Diego County LAFCO North Coastal Commission (primary)
SANDAG Board of Directors (1st alternate)
SANDAG Borders Committee

HALL

Chamber of Commerce Liaison (alternate)
North County Mayors and Managers
San Diego County Water Authority (SDCWA) Board of Directors
SDCWA Legislation, Conservation and Outreach Committee
San Diego County Water Authority Water Planning Committee
SANDAG Board of Directors

CITY MANAGER COMMENTS:**CITY ATTORNEY COMMENTS:****ANNOUNCEMENTS:**

This section of the Agenda is designated for announcements to advise the community regarding events that Members of the City Council have been invited to, and may participate in.

ADJOURNMENT. 7:17 p.m.